

**FIRST SUPPLEMENTAL AGREEMENT**  
**TO MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF**  
**ALBUQUERQUE AND THE ALBUQUERQUE BERNALILLO COUNTY WATER**  
**UTILITY AUTHORITY**

THIS FIRST SUPPLEMENTAL AGREEMENT is made and entered into by and between the City of Albuquerque, New Mexico, a municipal corporation (hereinafter referred to as the "City"), and the Albuquerque Bernalillo County Water Utility Authority, a political subdivision of the State of New Mexico ("Water Authority").

**RECITALS**

WHEREAS, the City and the Water Authority entered into an Agreement, dated July 1, 2013, hereinafter referred to as the "Original Agreement", whereby the City and the Water Authority agreed to the provision of certain shared services between the parties; and

WHEREAS, the City and the Water Authority have determined that an extension of time is necessary while the parties discuss needed amendments to the Original Agreement.

NOW, THEREFORE, in consideration of the premises and mutual obligations herein, the parties hereto do mutually agree as follows:


1. Section 1 of the Original Agreement is hereby amended to read as follows:
  1. Term. This MOU shall commence on July 1, 2013 and shall remain in full force and effect until June 30, 2019, unless sooner supplemented, amended, or terminated by written agreement of both the City and the Water Authority.
  2. Except as herein expressly amended, the terms and conditions of the Original Agreement shall remain unchanged and shall continue in full force and effect unless there is a conflict between the terms and conditions of the Original Agreement and this First Supplemental Agreement, in which event, the terms and conditions of this First Supplemental Agreement shall control.
  3. This Agreement shall not become binding upon the parties until approved by the respective highest approval authority of the City and the Water Authority..

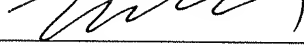
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IN WITNESS WHEREOF, the City and the Water Authority have executed this First Supplemental Agreement as of the date first above written.

**CITY OF ALBUQUERQUE**

**ALBUQUERQUE BERNALILLO  
COUNTY WATER UTILITY  
AUTHORITY**

  
\_\_\_\_\_  
Sarita Nair  
Chief Administrative Officer

By:   
\_\_\_\_\_  
Mark S. Sanchez, Executive Director

Date: 7/20/18

Date: 6/29/18

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Esteban A. Aguilar, Jr.  
City Attorney

Date: 7-2-18

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Peter Auh  
General Counsel

Date: 6/29/18